



UNITED STATES PATENT AND TRADEMARK OFFICE

no

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/978,221

10/16/2001

Qi Yu

USP1588A-OI2

4093

30265

7590

08/08/2006

RAYMOND Y. CHAN

108 N. YNEZ AVE., SUITE 128

MONTEREY PARK, CA 91754

EXAMINER

COBANOGLU, DILEK B

ART UNIT

PAPER NUMBER

3626

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/978,221

Applicant(s)

YU, QI

Examiner

Dilek B. Cobanoglu

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 May 2006.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 and 15-53 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12, 15-53 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 05/09/2006. Claims 13 and 14 have been cancelled. Claims 1-12 and 15-53 continue pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 39, 41, 43, 44, 45 are rejected under 35 U.S.C. 102(e) as being unpatentable by Goldenberg (U.S. Patent Publication No. 2002/0065682 A1).

A. Claim 1 is amended now to recite a method of providing distance-treatment for registered users through public network, comprising the steps of:

(a) providing a treatment instrument connected with an information connection system of each of said registered users, wherein said information connection system is arranged to be capable of

Art Unit: 3626

communicating with a service provider through internet (Goldenberg; paragraphs 0009, 0011 and Fig. 1);

(b) verifying said registered user and admit said registered user to login said service provider (Goldenberg; paragraphs 0042 and 0044);

(c) receiving a treatment request from said information connection system of said registered user through said internet (Goldenberg; paragraphs 0011 and 0016);

(d) based on said treatment request and a health information profile preset for said registered user in said service provider, selecting a treatment information data package from a treatment information database provided by said service provided (Goldenberg; paragraphs 0011, 0016 and 0017);
and

(e) sending digital treatment signals of said treatment information data package to said treatment instrument through said information connection system of said registered user via said internet to control a treatment operated by said treatment instrument on said registered user (Goldenberg; paragraphs 0017, and 0027).

B. As per claim 3, Goldenberg discloses the method, as recited in claim 1, before the step (a), further comprising a step of providing said treatment information database and a health information database for said service provider, wherein said treatment information database includes a plurality of treatment information with respect to different kinds of classified health problem and said

Art Unit: 3626

health information database includes health information profiles established for said registered users respectively, wherein each of said health information profiles includes a personal general information and a personal health information of said respective registered user (Goldenberg; paragraphs 0033, 0038 and 0042).

C. As per claim 5, Goldenberg discloses the method, as recited in claim 3, wherein said personal general information includes a specific user ID and a specific password registered by each of said registered users and a specific passcode assigned to each of said registered users by said service provider (Goldenberg; paragraphs 0042).

D. As per claim 7, Goldenberg discloses the method as recited in claim 3, wherein said personal health information of each of said registered users includes personal physical information and a recent body test record of said respective registered user, and said health information profile of each of said registered users further comprises a diagnosis file recording a personal diagnosis information of said respective registered user (Goldenberg; paragraphs 0027).

E. As per claim 9, Goldenberg discloses the method, as recited in claim 3, wherein the step (a) further comprises a step of registering said treatment instrument in said service provider so as to make a corresponding record in said health information profile of said respective registered user (Goldenberg; paragraphs 0038)

Examiner considers that treatment devices described in this reference are registered since they are controlled remotely.

F. As per claim 11, Goldenberg discloses the method, as recited in claim 1, wherein the treatment information database includes a plurality of treatment information with respect to different kinds of classified health problem and diseases, wherein said treatment information is stored as said treatment information data package (Goldenberg; par. 0016).

G. As per claim 15, Goldenberg discloses the method, as recited in claim 5, wherein in the step (b), said registered user is verified by said user ID, said password and said passcode of said registered user (Goldenberg; par. 0042).

H. As per claim 17, Goldenberg discloses the method, as recited in claim 5, wherein the step (b) further comprises the steps of:

(b-1) receiving a login request from said information connection system of said registered user (Goldenberg; par. 0042);

(b-2) sending a login page to said information connection system of said registered user to collect said user ID, said password and said passcode of said respective registered user (Goldenberg; par. 0042);

(b-3) authorizing said received user ID, password and passcode from said registered user by checking against all said personal general information of said health information profiles of said health information database (Goldenberg; par. 0042); and

Art Unit: 3626

(b-4) sending said member page to said registered user when said user is verified as said registered user in record, wherein said member page is a tailored web-pages for allowing said registered user to access and amend said health information profile thereof, informing said current health condition of said registered user based on said health information profile of said registered user, providing list of health problems and diseases of said registered user, and placing said treatment request (Goldenberg; par. 0042 and 0050).

I. Claim 19 is amended now to recite the method, as recited in claim 17, wherein after said verification of said registered user, said service provider recognizes said registered user and admits said registered user to make said treatment request to said service provider at said information connection system through said internet, wherein in responsive to said treatment request of said registered user, said service provider sends said respective registered user a treatment page which may include a list of said health problems and diseases that said registered user suffers, treatment opinions from doctors, recommendation of beneficial foods and activities for each of said listed health problems and diseases of said registered user, recommended biological treatments with respect to said listed health problems and diseases that said registered user suffers respectively, and information of suggested treatment instrument for executing each recommended biological treatment (Goldenberg; par. 0042 and 0050).

Art Unit: 3626

J. Claim 21 is amended now to recite the method, as recited in claim 5, wherein the step (d) further comprises the steps of:

(d-1) enabling said registered user to select said particular health problem and disease to be treated from said list of said health problems and diseases that said registered user suffers (Goldenberg; par. 0048 and 0050);

(d-2) enabling said registered user to select said specific recommended biological treatment with respect to said selected health problem or disease;

(d-3) calling said personal general information and personal health information of said health information profile of said registered user from said health information database to reference said specific recommended biological treatment selected by said registered user (Goldenberg; par. 0050);

(d-4) selecting, by said service provider, said specific treatment information data package from said treatment information database regarding to said selected recommended biological treatment and said health information profile of said registered user, wherein said treatment information data package contains said digital treatment signals adapted for controlling said specific treatment instrument connected to said information connection system of said registered user (Goldenberg; par. 0050 and 0053); and

Art Unit: 3626

(d-5) sending said treatment information data package to said information connection system of said registered user through said internet so as to transmit said digital treatment signals to said information connection system for controlling said treatment instrument (Goldenberg; par. 0017 and 0050).

K. Claim 23 is amended now to recite the method, as recited in claim 17. Claim 23 repeats the same limitations as claim 21, therefore is rejected with the same reasons as explained above and incorporated herein.

L. As per claim 25, Goldenberg discloses the method, as recited in claim 1, after the step (e), further comprising a step (f) of feeding back a responsive health information of said registered user to said service provider for controlling and adjusting properties of said digital treatment signals of said treatment information data package to be sent from said service provider to said information connection system of said registered user (Goldenberg; par. 0059 to 0061).

M. As per claim 27, Goldenberg discloses the method, as recited in claim 3.

Claim 27 repeats the same limitations as claim 25, therefore is rejected with the same reasons as explained above and incorporated herein.

N. As per claim 29, Goldenberg discloses the method, as recited in claim 23.

Claim 29 repeats the same limitations as claim 25, therefore is rejected with the same reasons as explained above and incorporated herein.

O. Claim 31 is amended now to recite the method, as recited in claim 25, wherein the step (f) further comprises the steps of:

Art Unit: 3626

(f-1) detecting a current health information of said registered user during said biological treatment (Goldenberg; par. 0059 to 0061);

(f-2) sending said detected current health information to said information connection system as said responsive health information (Goldenberg; par. 0061);

(f-3) feeding said responsive health information back to said service provider from said information connection system through said internet (Goldenberg; par. 0009 and 0061 to 0062);

(f-4) evaluating said digital treatment signals of said treatment information data package sent to said computer of said registered user with respect to said received responsive health information (Goldenberg; par. 0059 to 0061);

(f-5) adjusting said digital treatment signals of said treatment information data package to modified treatment information data package which contains updated digital treatment signals (Goldenberg; par. 0062 and 0063); and

(f-6) sending said modified treatment information data package to said information connection system of said registered user through said internet so as to transmit said updated digital treatment signals to said information connection system to update said control of said treatment instrument (Goldenberg; par. 0009, 0062 and 0063).

Art Unit: 3626

P. Claim 33 is amended now to recite the method, as recited in claim 29. Claim 33 repeats the same limitations as claim 31, therefore is rejected with the same reasons as explained above and incorporated herein.

Q. As per claim 39, Goldenberg discloses the method, as recited in claim 25, wherein said responsive health information of said registered user is obtained by requesting said registered user to input said responsive health information, including a feeling, progress and symptom of said registered user, so as to control and adjust said digital treatment signals of said treatment information data package to be sent from said service provider to said information connection system of said registered user (Goldenberg; par. 0062).

R. As per claim 41, Goldenberg discloses the method, as recited in claim 29. Claim 41 repeats the same limitations as claim 31, therefore is rejected with the same reasons as explained above and incorporated herein.

S. Claim 43 is amended now to recite a system of providing distance-treatment for registered users through public network, comprising:

- i. a service provider providing a treatment information database and a health information database, wherein said treatment information database includes a plurality of treatment information with respect to different kinds of classified health problem and said health information database includes health information profiles established for said registered users respectively, wherein each of said health information profiles includes a personal general information and a personal health information for said

Art Unit: 3626

respective registered user (Goldenberg; abstract, par. 0029, 0040, 0050 and Fig. 1);

ii. an information connection system adapted to be operated by said registered user (Goldenberg; par. 0009 and 0010);

iii. a network networking said information connection system with said service provider for data communication through said internet(Goldenberg; par. 0009 and 0027);

iv. and at least a treatment instrument which is electrically connected with said information connection system for providing a treatment for said respective registered user (Goldenberg; par. 0059);

v. wherein a treatment information data package sent from said service provider via said information connection system through said internet to provide digital treatment signals to control said treatment, wherein said treatment information data package is selected from said treatment information database based on a treatment request sent from said information connection system to said service provider and said health information profile of said registered user in said service provider (Goldenberg; par. 0009, 0017, 0027 and 0059).

T. Claim 44 is amended now to recite the system, as recited in claim 43, wherein said service provider comprises a Web Server, said information connection system comprises a personal computer and said network is an Internet which is a

Art Unit: 3626

data transmission network connecting said service provider and said information connection system (Goldenberg; par. 0009 and 0027).

U. As per claim 45, Goldenberg discloses the system, as recited in claim 44, wherein said computer functions as said treatment instrument through a monitor and speakers of said computer (Goldenberg; par. 0061).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4, 6, 8, 10, 12, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 35, 36, 37, 38, 40, 42, 46, 47 and 48 are rejected under 35 U.S.C. 103(a) as being anticipated over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) in view of Albert et al. (hereinafter Albert) (U.S. Patent No. 5,735,285).

A. As per claim 2, Goldenberg discloses the method, as recited in claim 1, Goldenberg fails to expressly teach decoding digital treatment signals into analog treatment signals, per se, since it appears that Goldenberg is more directed to teach receiving and transmitting signals (Goldenberg; par. 0017) decode the data for further processing and to encode responses to be transmitted to the remote user location (Goldenberg; par. 0040). However, this feature is well known in the art, as evidenced by Albert.

Art Unit: 3626

In particular, Albert discloses decoding said digital treatment signals into analog treatment signals (Albert; col. 4, lines 1-8).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Goldenberg with the motivation of further demodulation, review and opinion (Albert; col. 4, lines 1-8).

B. As per claim 4, Goldenberg discloses the method, as recited in claim 2, before the step (a), further comprising a step of providing said treatment information database and a health information database for said service provider, wherein said treatment information database includes a plurality of treatment information with respect to different kinds of classified health problem and said health information database includes health information profiles established for said registered users respectively, wherein each of said health information profiles includes a personal general information and a personal health information of said respective registered user (Goldenberg; paragraphs 0042).

C. As per claim 6, Goldenberg discloses the method, as recited in claim 4, wherein said personal general information includes a specific user ID and a specific password registered by each of said registered users and a specific passcode assigned to each of said registered users by said service provider (Goldenberg; paragraphs 0042).

D. As per claim 8, Goldenberg discloses the method as recited in claim 4, wherein said personal health information of each of said registered users

Art Unit: 3626

includes personal physical information and a recent body test record of said respective registered user, and said health information profile of each of said registered users further comprises a diagnosis file recording a personal diagnosis information of said respective registered user (Goldenberg; paragraphs 0027).

E. As per claim 10, Goldenberg discloses the method, as recited in claim 4, wherein the step (a) further comprises a step of registering said treatment instrument in said service provider so as to make a corresponding record in said health information profile of said respective registered user (Goldenberg; paragraphs 0038)

Examiner considers that treatment devices described in this reference are registered since they are controlled remotely.

F. As per claim 12, Goldenberg discloses the method, as recited in claim 1, wherein the treatment information database includes a plurality of treatment information with respect to different kinds of classified health problem and diseases, wherein said treatment information is stored as said treatment information data package (Goldenberg; par. 0016).

G. As per claim 16, Goldenberg discloses the method, as recited in claim 6, wherein in the step (b), said registered user is verified by said user ID, said password and said passcode of said registered user (Goldenberg; par. 0042).

H. As per claim 18, Goldenberg discloses the method, as recited in claim 6, wherein the step (b) further comprises the steps of:

Art Unit: 3626

(b-1) receiving a login request from said information connection system of said registered user (Goldenberg; par. 0042);

(b-2) sending a login page to said information connection system of said registered user to collect said user ID, said password and said passcode of said respective registered user (Goldenberg; par. 0042);

(b-3) authorizing said received user ID, password and passcode from said registered user by checking against all said personal general information of said health information profiles of said health information database (Goldenberg; par. 0042); and

(b-4) sending said member page to said registered user when said user is verified as said registered user in record, wherein said member page is a tailored web-pages for allowing said registered user to access and amend said health information profile thereof, informing said current health condition of said registered user based on said health information profile of said registered user, providing list of health problems and diseases of said registered user, and placing said treatment request (Goldenberg; par. 0050).

I. As per claim 20, Goldenberg discloses the method, as recited in claim 18, wherein after said verification of said registered user, said service provider recognizes said registered user and admits said registered user to make said treatment request to said service provider at said information connection system through said internet, wherein in responsive to said treatment request of said

Art Unit: 3626

registered user, said service provider sends said respective registered user a treatment page which may include a list of said health problems and diseases that said registered user suffers, treatment opinions from doctors, recommendation of beneficial foods and activities for each of said listed health problems and diseases of said registered user, recommended biological treatments with respect to said listed health problems and diseases that said registered user suffers respectively, and information of suggested treatment instrument for executing each recommended biological treatment (Goldenberg; par. 0042 and 0050).

J. As per claim 22, Goldenberg discloses the method, as recited in claim 6, wherein the step (d) further comprises the steps of:

(d-1) enabling said registered user to select said particular health problem and disease to be treated from said list of said health problems and diseases that said registered user suffers (Goldenberg; par. 0048 and 0050);

(d-2) enabling said registered user to select said specific recommended biological treatment with respect to said selected health problem or disease;

(d-3) calling said personal general information and personal health information of said health information profile of said registered user from said health information database to reference said specific recommended

Art Unit: 3626

biological treatment selected by said registered user (Goldenberg; par. 0050);

(d-4) selecting, by said service provider, said specific treatment information data package from said treatment information database regarding to said selected recommended biological treatment and said health information profile of said registered user, wherein said treatment information data package contains said digital treatment signals adapted for controlling said specific treatment instrument connected to said information connection system of said registered user (Goldenberg; par. 0050 and 0053); and

(d-5) sending said treatment information data package to said information connection system of said registered user through said internet so as to transmit said digital treatment signals to said information connection system for controlling said treatment instrument (Goldenberg; par. 0017 and 0050).

K. As per claim 24, Goldenberg discloses the method, as recited in claim 18.

Claim 24 repeats the same limitations as claim 22, therefore is rejected with the same reasons as explained above and incorporated herein.

L. As per claim 26, Goldenberg discloses the method, as recited in claim 2, after the step (e), further comprising a step (f) of feeding back a responsive health information of said registered user to said service provider for controlling and adjusting properties of said digital treatment signals of said treatment information

Art Unit: 3626

data package to be sent from said service provider to said information connection system of said registered user (Goldenberg; par. 0059 to 0061).

M. As per claim 28, Goldenberg discloses the method, as recited in claim 4.

Claim 28 repeats the same limitations as claim 26, therefore is rejected with the same reasons as explained above and incorporated herein.

N. As per claim 30, Goldenberg discloses the method, as recited in claim 24.

Claim 30 repeats the same limitations as claim 26, therefore is rejected with the same reasons as explained above and incorporated herein.

O. As per claim 32, Goldenberg discloses the method, as recited in claim 26,

wherein the step (f) further comprises the steps of:

(f-1) detecting a current health information of said registered user during said biological treatment (Goldenberg; par. 0059 to 0061);

(f-2) sending said detected current health information to said information connection system as said responsive health information (Goldenberg; par. 0061);

(f-3) feeding said responsive health information back to said service provider from said information connection system through said internet (Goldenberg; par. 0009 and 0061 to 0062);

(f-4) evaluating said digital treatment signals of said treatment information data package sent to said computer of said registered user with respect to said received responsive health information (Goldenberg; par. 0059 to 0061);

Art Unit: 3626

(f-5) adjusting said digital treatment signals of said treatment information data package to modified treatment information data package which contains updated digital treatment signals (Goldenberg; par. 0062 and 0063); and

(f-6) sending said modified treatment information data package to said information connection system of said registered user through said internet so as to transmit said updated digital treatment signals to said information connection system to update said control of said treatment instrument (Goldenberg; par. 0009, 0062 and 0063).

P. As per claim 34, Goldenberg discloses the method, as recited in claim 30.

Claim 34 repeats the same limitations as claim 32, therefore is rejected with the same reasons as explained above and incorporated herein.

Q. As per claim 35, Goldenberg discloses the method as recited in claimed 31, wherein after the step (f-1) and before the step (f-2), said current health information detected responsive health information for transmitting back to said service provider through said internet (Goldenberg; par. 0017 and 0059).

The obviousness of modifying the teaching of Goldenberg to include decoding digital treatment signals into analog treatment signals (as taught by Albert) is as addressed above in the rejection of claim 2 and incorporated herein.

Art Unit: 3626

R. As per claim 36, Goldenberg discloses the method as recited in claimed 32, and claim 36 repeats the same limitations as claim 35, therefore is rejected with the same reasons as explained above and incorporated herein.

S. As per claim 37, Goldenberg discloses the method as recited in claimed 33, and claim 37 repeats the same limitations as claim 35, therefore is rejected with the same reasons as explained above and incorporated herein.

T. As per claim 38, Goldenberg discloses the method as recited in claimed 34, and claim 38 repeats the same limitations as claim 35, therefore is rejected with the same reasons as explained above and incorporated herein.

U. As per claim 40, Goldenberg discloses the method, as recited in claim 26, wherein said responsive health information of said registered user is obtained by requesting said registered user to input said responsive health information, including a feeling, progress and symptom of said registered user, so as to control and adjust said digital treatment signals of said treatment information data package to be sent from said service provider to said information connection system of said registered user (Goldenberg; par. 0062).

V. As per claim 42, Goldenberg discloses the method as recited in claimed 30, and claim 42 repeats the same limitations as claim 40, therefore is rejected with the same reasons as explained above and incorporated herein.

W. As per claim 46, Goldenberg discloses the system, as recited in claim 43.

The obviousness of modifying the teaching of Goldenberg to include decoding digital treatment signals into analog treatment signals (as taught

Art Unit: 3626

by Albert) is as addressed above in the rejection of claim 2 and incorporated herein.

X. As per claim 47, Goldenberg discloses the system, as recited in claim 44, and claim 47 repeats the same limitations as claim 46, therefore is rejected with the same reasons as explained above and incorporated herein.

Y. As per claim 48, Goldenberg discloses the system, as recited in claim 46, wherein said treatment instrument comprises a power source and an information input connection (Goldenberg; par. 0059)

Goldenberg fails to expressly teach an internal decoder installed, per se, since it appears that Goldenberg is more directed to teach receiving and transmitting signals (Goldenberg; par. 0017) decode the data for further processing and to encode responses to be transmitted to the remote user location (Goldenberg; par. 0040). However, this feature is well known in the art, as evidenced by Albert.

In particular, Albert discloses an internal decoder installed in said information connection system and provides a data outlet port to be connected to said information input connection of said treatment instrument (Albert; col. 3; lines 50-67 and col. 4, lines 1-8).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Goldenberg with the motivation of further demodulation, review and opinion (Albert; col. 4, lines 1-8).

Art Unit: 3626

6. Claim 49 is rejected under 35 U.S.C. 103(a) as being anticipated over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) and Albert et al. (hereinafter Albert) (U.S. Patent No. 5,735,285) in view of Khaled et al. (hereinafter Khaled) (U.S. Patent No. 5,416,804).

A. As per claim 49, Goldenberg and Albert disclose the system, as recited in claim 46.

Goldenberg and Albert fail to expressly teach an external decoder physically connected between said information connection system and said treatment instrument, per se, since it appears that Goldenberg is more directed to teach receiving and transmitting signals (Goldenberg; par. 0017) decode the data for further processing and to encode responses to be transmitted to the remote user location (Goldenberg; par. 0040) and Albert is more directed to an internal decoder (Albert; col. 3, line 50 to col. 4, line8). However, this feature is well known in the art, as evidenced by Khaled.

In particular, Khaled discloses an external decoder physically connected between said information connection system and said treatment instrument (Khaled; abstract, col. 3; lines 19-47 and Fig. 1, 5 and 6).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Khaled with the motivation of error correlation at the output of the internal decoder (Khaled; col. 4, lines 50-53).

Art Unit: 3626

7. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) in view of Swing (U.S. Patent No. 6,522,929 B2).

A. As per claim 50, Goldenberg discloses the system, as recited in claim 43.

Goldenberg fails to expressly teach an electrical acupuncture, per se, since it appears that Goldenberg is more directed to teach a treatment device, which can perform both therapeutic and diagnostic procedures (Goldenberg; par. 0017 and 0059). However, this feature is well known in the art, as evidenced by Swing.

In particular, Swing discloses an electrical acupuncture device for operating electrical acupuncture treatment (Swing; par.0011)

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Swing with the motivation of healing a injury of a patient using electrical stimulation and/or needles (Swing; par.0011).

8. Claim 51 is rejected under 35 U.S.C. 103(a) as being anticipated over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) and Albert et al. (hereinafter Albert) (U.S. Patent No. 5,735,285) further in view of Swing (U.S. Patent No. 6,522,929 B2).

A. As per claim 51, Goldenberg discloses the system, as recited in claim 46.

Art Unit: 3626

The obviousness of modifying the teaching of Goldenberg and Albert to include an electrical acupuncture (as taught by Swing) is as addressed above in the rejection of claim 50 and incorporated herein.

9. Claim 52 is rejected under 35 U.S.C. 103(a) as being anticipated over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) in view of Bologna (U.S. Patent Publication 2003/0023129).

A. As per claim 52, Goldenberg discloses the system, as recited in claim 43.

Goldenberg fails to expressly teach an electromagnetic wave generator for producing electromagnetic waves with a predetermined frequency, ranging from 1 Hz to 530,000 Ghz, and intensity, ranging from 1 mV to 10 mV, per se, since it appears that Goldenberg is more directed to an electronic inquiry-based information system (Goldenberg; pa. 0015). However, this feature is well known in the art, as evidenced by Bologna. In particular, Bologna discloses an electromagnetic wave generator for producing electromagnetic waves with a predetermined frequency, ranging from 1 Hz to 530,000 Ghz, and intensity, ranging from 1 mV to 10 mV (Bologna; par.0011 and 0026).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Swing with the motivation of electromagnetic wave generator is being reliable and safe (Bologna; par.0026).

Art Unit: 3626

10. Claim 53 is rejected under 35 U.S.C. 103(a) as being anticipated over Goldenberg (U.S. Patent Publication No. 2002/0065682 A1) and Albert et al. (hereinafter Albert) (U.S. Patent No. 5,735,285) further in view of Bologna (U.S. Patent Publication 2003/0023129).

A. As per claim 53, Goldenberg discloses the system, as recited in claim 46, and claim 53 repeats the same limitations as claim 52, therefore is rejected with the same reasons as explained above and incorporated herein.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teach "Interactive patient assistance device" 4,933,873 A, "Interactive patient assistance and medication delivery systems responsive to the physical environment of the patient" 5,036,462 A, "Networked health care and monitoring system" 5,410,471 A, "Patient monitor and support system" 5,558,638 A, "Computerized medical diagnostic and treatment advice system including network access" 6,022,315 A, "Method and system for managing chronic disease and wellness online" 2001/0039503, "Method and system for monitoring and treating a patient" 2002/0120187.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.

Art Unit: 3626

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DBC

DBC
Art Unit 3626
07/15/2006

Joseph Thomas
JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER